

IN THE SUPREME COURT OF THE STATE OF DELAWARE

MATTHEW BAILEY,	§
	§ No. 388, 2008
Petitioner Below-	§
Appellant,	§
	§ Court Below—Family Court
v.	§ of the State of Delaware
	§ in and for Kent County
DCSE/FELICIA ABBOTT,	§ File No. CK02-03428
	§
Respondents Below-	§
Appellees.	§

**ORDER**

This 12<sup>th</sup> day of March 2009, it appears to the Court that, on February 19, 2009, the Clerk of the Court issued a notice to show cause why this appeal should not be dismissed pursuant to Supreme Court Rule 29(b) for the appellant's failure to comply with Rule 42 when taking an appeal from an apparent interlocutory order. The appellant has failed to respond to the notice to show cause within the required 10-day period. Therefore, dismissal of this action is deemed to be unopposed.

NOW, THEREFORE, IT IS ORDERED, pursuant to Supreme Court Rule 29(b), that the within appeal is DISMISSED.<sup>1</sup>

BY THE COURT:  
/s/ Myron T. Steele  
Chief Justice

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<sup>1</sup> The appellees' motion to dismiss, filed on February 2, 2009, is denied as moot.